GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

EFS&T Department- Diversion of 2.20 Ha. of forest land for renewal of mining lease for extraction of road metal & building stone in Sy.No.135, Palicherlapadu Village, Venkatachalam Mandal, falling in Vadlapudi RF of Nellore Range & Division, in favour of Sri D.Siva Kumar Reddy- Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 22 **Dated: 23-02-2017**

Read the following:-

1. From PCCF& HoFF, AP, Lr Rc.No.8452/2011/F2, Dt.12-10-2011.
2. State Govt. Lr.No.8015/For-1(1)/2011, Dt.10-07-2012.
3. From GoI, MoEF& C.C, Lr.No.4-APB897/2013-BAN/3332, Dt.26-04-2013.
4. State Govt. Lr.No.8015/Section-II/2011, Dt.18-6-2016.
5. From GoI, MoEF& C.C, Lr.No.4-APB897/2012-BAN/0061,Dt.10-01-2017.

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ORDER:

The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, in his letter 1st read above, has submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 2.20 Ha. of forest land for renewal of mining lease for extraction of road metal & building stone in Sy.No.135, Palicherlapadu Village, Venkatachalam Mandal, falling in Vadlapudi RF of Nellore Range & Division, in favour of Sri D.Siva Kumar Reddy and requested to forward the same to Government of India, Ministry of Environment, Forests & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment, Forests & Climate Change, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment, Forests & Climate Change, vide their letter 3rd read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein. Accordingly, the State Government vide letter 4th read above, have furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, while according in-principle (Stage-I) approval.

4. Government of India, Ministry of Environment, Forests & Climate Change, in their letter 5th read above, have accorded (Stage-II) approval under Section-2 of Forest (Conservation) Act, 1980, for diversion of 2.20 Ha. of forest land for renewal of mining lease for extraction of road metal & building stone in Sy.No.135, Palicherlapadu Village, Venkatachalam Mandal, falling in Vadlapudi RF of Nellore Range & Division, in favour of Sri D.Siva Kumar Reddy, subject to certain conditions as stipulated therein.

5. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for diversion of 2.20 Ha. of forest land for renewal of mining lease for extraction of road metal & building stone in Sy.No.135, Palicherlapadu Village, Venkatachalam Mandal, falling in Vadlapudi RF of Nellore Range & Division, in favour of Sri D.Siva Kumar Reddy, subject to the following conditions:-

(i) The Legal status of the forest diverted forest land shall remain unchanged.

(ii) The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of user agency.

(Contd-2)

(iii) The safety zone area (0.20 Ha) all along the boundary outside the mining area as proposed by the State Government shall be maintained by the User Agency.

(iv) Additional amount of Net Present Value (NPV) of the diverted forest land, if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from User Agency.

(v) Adequate care shall be taken to check and prevent any rolling of over- burdens / dumps beyond diverted area and also to check soil erosion caused due to mining activities.

(vi) No permanent buildings or labour sheds should be constructed in the leased area.

(vii) Reclamation plan shall be implemented by the User Agency from the very first year of mining and an annual report shall be sent to the Nodal Officer, Andhra Pradesh and the Regional Office, Chennai.

(viii) As recommended by the Regional Empowered Committee (REC), User Agency shall carry out the reclamation work as a water harvesting structure in the mined out area.

(ix) User Agency shall obtain Environmental Clearance under Environmental (Protection) Act, 1986, if required.

(x) The consent of Andhra Pradesh Pollution Control Board (APPCB) shall be obtained under Air and Water Act before commencement of mining operation.

(xi) A comprehensive monitoring shall be done at the end of five years to study the impact of mining. If it is found that the lessee has violated or is not complying with the stipulated conditions, then the approval given under the Forest (Conservation) Act, 1980 shall be revoked.

(xii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

(xiii) Minimal disturbance should be ensured by creating labour camps outside the forest area as far as possible and it will be the responsibility of the UA to ensure that the labourers & staff engaged in construction activity do not destruct nearby forest flora & fauna.

(xiv) The Forest land proposed for diversion shall under no circumstances be transferred or sub leased to any other agency, department or person without prior approval of the central Government.

(xv) The total forest area utilized for the project shall not exceed 2.20 (including 0.20 ha of safety zone area) and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.

(xvi) User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

(xvii) Any other condition that the Central Government or Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.

(Contd-3)

(xviii) The Progress of the Compensatory Afforestation as mentioned by the DFO in Sl.No.08 (iv) of part II i.e Forest land 716.46 ha and non forest land 9959.65 ha shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal.

(xix) In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai.

(xx) In the event of failure to take up the forest land by the User Agency within two years of issue of the approval, the clearance stands cancelled without any costs thereof.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, is directed to take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

Sri D.Siva Kumar Reddy
S/o, Sri Krishna Reddy, 24/11/418, Saraswathinagar,
Backside of JK Reddy House, Sri Pottisreeramuu, Nellore Distrcit.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER